

By Engham

H B. No. 1690

A BILL TO BE ENTITLED

AN ACT

relating to increasing certain fees for certain licenses relating to boxing and wrestling; increasing the tax on gross receipts from sale of admission tickets to certain boxing and wrestling contests; amending Sections 4, 6, and 8, Chapter 241, General Laws, Acts of the 43rd Legislature, Regular Session, 1933, as amended (Article 614-1 et seq., Vernon's Texas Penal Code); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Sections 4, 6, and 8, Chapter 241, General Laws, Acts of the 43rd Legislature, Regular Session, 1933, as amended (Article 614-1 et seq., Vernon's Texas Penal Code), are amended to read as follows:

"Section 4. Before any individual, firm, club, copartnership, association, company, or corporation may act as a promoter of either boxing or wrestling as herein defined, such promoter shall file or cause to be filed with the Commissioner of Labor at Austin, Texas, on such form as may be furnished by him a verified declaration or application, setting forth the true name, age, present actual residence, and length of time thereof, place where promoter will operate, and such other information as may be required by such printed forms when furnished, and the application filed with the Commissioner of Labor shall be accompanied with a registration or license fee, for which a permit

1 or license may be issued by said Commissioner of Labor, for the
2 type of license applied for, such remittance to be in such form
3 as by law provided for other remittances to such officer, and
4 such registration fee shall be Twenty Dollars (\$20) [~~Ten-Dollars~~
5 ~~(\$10)~~] for Boxing Promoters License and Twenty Dollars (\$20) [~~Ten~~
6 ~~Dollars-(\$10)~~] for Wrestling Promoters License in a city with a
7 population not exceeding seven thousand, five hundred (7,500);
8 Thirty Dollars (\$30) [~~Twenty-Dollars-(\$20)~~] in cities with a
9 population of seven thousand, five hundred and one (7,501) to
10 seventeen thousand, five hundred (17,500) inclusive; Forty Dollars
11 (\$40) [~~Thirty-Dollars-(\$30)~~] in cities with a population of
12 seventeen thousand, five hundred and one (17,501) to twenty-five
13 thousand (25,000), inclusive; One Hundred and Seventy-five Dollars
14 (\$175) [~~One-Hundred-Dollars-(\$100)~~] in cities with a population
15 of twenty-five thousand and one (25,001) to seventy-five thousand
16 (75,000), inclusive; and Three Hundred Dollars (\$300) [~~Two-Hundred~~
17 ~~Dollars-(\$200)~~] in a city of more than seventy-five thousand
18 (75,000) inhabitants, and any person or group of persons acting
19 as such promoter without so registering and remitting such license
20 fee, and having in their possession a duly authorized permit,
21 shall be deemed guilty of felony swindling and shall be punished
22 accordingly."

23 "Section 6. Each individual, firm, club, copartnership,
24 association, company or corporation which conducts any athletic
25 combat, boxing, sparring or wrestling match, contest or exhibition
26 wherein the contestants or participants receive a money
27 remuneration, purse, or prize equivalent for their performance

1 or services in same, and/or where an admission fee is charged or
2 received, shall furnish to the Commissioner of Labor Statistics
3 at Austin, Texas, within forty-eight (48) hours after the
4 termination of such match, contest or exhibition, a duly verified
5 report thereof showing the number of tickets sold, the various
6 prices received therefor, and the amount of gross receipts for
7 the total number of tickets sold therefor, and at the same time
8 shall attach to the Commissioner of Labor's report legal tender
9 or make proper form of money order or exchange payable to the
10 State Treasurer in the amount of tax for five [~~three~~] per centum
11 (5%) [~~(3%)~~] of the total gross receipts from the sale of tickets
12 of admission to such contest, which tax shall be deposited to the
13 credit of the "Boxing and Wrestling Enforcement Fund." No other
14 fee or tax either general or local, than as herein provided, shall
15 be assessed against or levied upon any such match, contest or
16 exhibition, contestant or manager, or promoter thereof."

17 "Section 8. Before any person may perform or act as boxer,
18 wrestler, or manager of such boxer or wrestler, or matchmaker for
19 a promoter of boxing and wrestling contests or exhibitions, where
20 such boxer, wrestler, manager, or matchmaker performs or renders
21 service for money remuneration, purse or prize equivalent, or may
22 appear or perform without remuneration in contests with or on the
23 same card with licensed contestants, such person shall file with
24 the Commissioner of Labor at Austin, Texas, on such form as may
25 be furnished by him a verified declaration or application, setting
26 forth the true name, age, present actual residence, and length
27 of time thereof, place where and party with whom filed if other

1 than with the Commissioner of Labor at Austin, Texas, as is herein
2 provided, and such other information as may be required by such
3 printed forms, and the application shall be accompanied with a
4 license fee, such remittance to be in such form as by law provided
5 for other remittances to such officer, and such license fee shall
6 be Twenty Dollars (\$20) [~~Five-Dollars-(\$5)~~] for each boxer and
7 Ten Dollars (\$10) for each [~~or~~] wrestler and Twenty-five Dollars
8 (\$25) [~~Fifteen-Dollars-(\$15)~~] for each manager of a boxer or
9 wrestler, and Twenty-five Dollars (\$25) [~~Fifteen-Dollars-(\$15)~~]
10 for each matchmaker for a promoter of boxing and wrestling or
11 otherwise for a boxer or wrestler; provided further that a license
12 good for thirty (30) days only may, upon receipt of proper
13 application, and when approved by the Commissioner of Labor, be
14 issued to a boxer or a wrestler, for a fee of One Dollar (\$1).
15 And it is further provided that each manager shall file with the
16 Commissioner of Labor a copy of each and every contract entered
17 into with a boxer or wrestler, and any person acting or performing
18 without so registering and remitting such license fee shall be
19 deemed guilty of misdemeanor swindling and shall be punished
20 accordingly.

21 "It is further provided that before any person may perform
22 or act as second to a boxer or wrestler, or timekeeper at a boxing
23 or wrestling contest, or referee of boxing and wrestling contests
24 or exhibitions, such person shall file with the Commissioner of
25 Labor at Austin, Texas, on such form as may be furnished by said
26 Commissioner, a verified declaration or application, setting forth
27 the true name, age, present actual residence, and length of time

1 thereof, place where and party with whom filed if other than with
2 the Commissioner of Labor at Austin, Texas, as is herein provided,
3 and such other information as may be required by such printed
4 forms, and the application shall be accompanied with a license
5 fee, such remittance to be in such form as by law provided for
6 other remittances to such officer, and such license fee shall be
7 Ten Dollars (\$10) for such referee; provided, however, that a
8 deputy commissioner of labor may appoint a referee for a single
9 boxing or wrestling combat, and issue the license therefor, and
10 said license fee shall be One Dollar (\$1); and Five Dollars (\$5)
11 ~~[Two-Dollars-and-Fifty-Cents-(\$2.50)]~~ for each second and
12 timekeeper; provided, however, that a deputy labor commissioner
13 may appoint said second and timekeeper and other necessary local
14 officials for any single boxing or wrestling combat and issue a
15 license therefor without charge; and provided further that adequate
16 provisions shall be made for some person of proper authority
17 present at the match to appoint a substitute for any referee,
18 second, timekeeper, or any other officiating person who fails to
19 present himself at the time of the bout; and provided further
20 that any person acting in any of the above named capacities or
21 performing without registering and remitting such license fees
22 as are herein required shall be deemed guilty of misdemeanor
23 swindling and shall be punished accordingly."

24 Sec. 2. The importance of this legislation and the crowded
25 condition of the calendars in both houses create an emergency and
26 an imperative public necessity that the constitutional rule
27 requiring bills to be read on three several days in each house

1 be suspended, and this rule is hereby suspended, and that this
2 Act take effect and be in force from and after its passage, and
3 it is so enacted.

FORM A

COMMITTEE REPORT

Date May 14, 1973

HONORABLE PRICE DANIEL, JR.

Speaker of the House of Representatives.

Sir:

We, your Committee on Revenue & Taxation, to whom was referred H.B. No. 1690, have had the same under consideration and beg to report back with recommendation that it (do) ~~do not~~ pass.

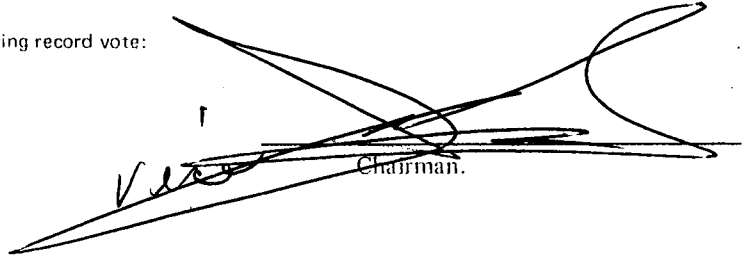
The Committee recommends that this measure be considered for the Local and Consent Calendar.

~~House sponsor of Senate measure:~~ _____

The measure was reported from Committee by the following record vote:

<u>12</u>	eyes
<u>0</u>	nays
<u>0</u>	present, not voting
<u>11</u>	absent

This measure proposes new law.


Chairman.

H.B. No. 1690

By: Salem

COMMITTEE ON REVENUE AND TAXATION

BILL ANALYSIS

Background Information:

Texas ranks well below other states in wrestling and boxing fees. This bill would bring Texas into line with other states and provide revenue for increased administrative costs.

What the Bill Proposes To Do:

H.B. No. 1690 proposes to increase fees for boxing and wrestling licenses and to increase the tax on gross receipts from the sale of boxing and wrestling admission tickets.

Section by Section Analysis:

Section 1: Article 614, Section 4, V.T.P.C., is amended to increase the Boxing Promoters License fee and the Wrestling Promoters License fee from \$10 to \$20 in a city with a population not exceeding 7,500; from \$20 to \$30 in cities with a population not exceeding 17,500; from \$30 to \$40 in cities with a population not exceeding 25,000; from \$100 to \$175 in cities with a population not exceeding 75,000; from \$200 to \$300 in a city with a population of over 75,000.

Article 614, Section 6, V.T.P.C. is amended to increase the gross receipts tax on tickets sold for admission to boxing and wrestling matches (form) three percent to five percent.

Article 614, Section 8, V.T.P.C., is amended to increase the license fee for each boxer from \$5 to \$20, for each wrestler from \$5 to \$10, for each manager of a boxer or wrestler from \$15 to \$25; and for each matchmaker for a promoter of boxing and wrestling from \$15 to \$25. The license fee for each second and timekeeper is increased from \$2.50 to \$5.00.

Section 2: Emergency Clause

Summary of Committee Action:

SUMMARY OF COMMITTEE ACTION:

The Committee on Revenue and Taxation posted notice in Accordance with Rule VIII, Section 13, and considered H.B. No. 1690 in a public hearing/~~formal meeting~~ on May 14, 1973, 1973. ~~the bill was referred to Sub-Committee and reported back Favorably to the full Committee with amendment(s) on _____, 1973~~ By a record vote of 12 ayes and 0 nays, to report the bill back to the House Favorably/~~Unfavorably~~ with the recommendation that it do^{pass}~~not~~ pass, ~~as amended~~.

~~This bill proposes new law by adding _____~~

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

May 14, 1973

Honorable Terry Doyle, Chairman
Committee on Revenue and Taxation
House of Representatives
Austin, Texas 78701

In Re: House Bill No. 1690
By: Salem


Sir:

In response to your request and pursuant to House Rule VIII, Section 27, this office finds the fiscal implications of House Bill No. 1690 (relating to increasing certain fees for certain licenses relating to boxing and wrestling) to be as follows:

1. Increased revenue during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Increased Revenue</u>
1974	\$ 67,760
1975	67,760
1976	67,760
1977	67,760
1978	67,760

2. Increased revenue will continue as long as the provisions of the bill are in effect.


Thomas M. Keel
Legislative Budget Director

By: Salem

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10 State Treasurer in the amount of tax for five [~~three~~] per centum
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13 credit of the 'Boxing and Wrestling Enforcement Fund.' No other
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H.B. No. 1690

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H. B. No. 1690

By: Smith

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PERMISSION GRANTED TO INTRODUCE APR 27 1973

FILED APR 27 1973

READ 1ST TIME

AND REFERRED TO COMMITTEE ON

Revenue & Taxation

Dorothy Hallman
Chief Clerk, House of Representatives

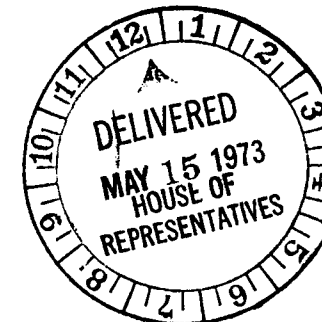
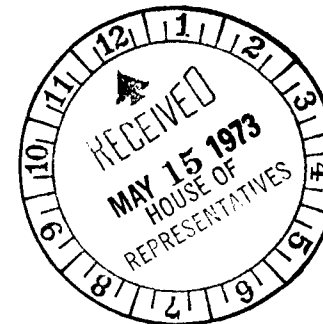
MAY 14 1973 REPORTED FAVORABLY SENT TO PRINTER

PRINTED, DISTRIBUTED AND

SENT TO COMMITTEE ON

CALENDARS 12:15 P.M.
(Time)

MAY 15 1973
(Date)



MAY 17 1973

READ SECOND

TIME _____ AND

ORDERED _____ ENGROSSED

by
now record vote

Dorothy Hallman
Chief Clerk, House of Representatives

MAY 17 1973

Read third time

and Passed

by following vote yeas

134

Nays

0 - 4 present
Dorothy Hallman
Chief Clerk
HOUSE OF REPRESENTATIVES

MAY 17 1973

SENT TO ENGROSSING CLERK

By: Salem

H.B. No. 1690

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relating to increasing certain fees for certain licenses relating to boxing and wrestling; increasing the tax on gross receipts from sale of admission tickets to certain boxing and wrestling contests; . . . etc.; and declaring an emergency.

4-27-73 Permission granted to introduce.

4-27-73 Filed.

5- 1-73 Read first time and referred to Committee on Revenue and Taxation.

5-14-73 Reported favorably, sent to printer.

5-15-73 Printed, distributed and referred to Committee on Calendars at 12:15 p.m.

5-17-73 Read second time and ordered engrossed by a non-record vote.

5-17-73 Read third time and passed by the following vote: Yeas 134, Nays 0 and 4 present not voting.

Dorothy Hallman
Chief Clerk, H. of R.

5-17-73 Sent to Engrossing Clerk.

5-17-73 Engrossed.

Engrossing Clerk, H. of R.

MAY 18 1973

RETURNED FROM ENGROSSING CLERK

2-22 PM THE SENATE

MAY 18 1973 Received from the House

MAY 19 1973 Read, referred to Committee on **ADMINISTRATION**

Reported favorably. _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed. _____

Regular order of business suspended by

(unanimous consent.

(_____ yeas, _____ nays.

To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

Read second time _____ passed to third reading.

Caption ordered amended to conform to body of bill.

Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas, _____ nays to place bill on third reading and final passage.

Read third time and passed by (a viva-voce vote.

(_____ yeas, _____ nays.

OTHER ACTION:

Secretary of the Senate

Returned to HOUSE